TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT Docket No. (Under 37 CFR 1.97(b) or 1.97(c)) 112843-041 In Re Application Of: Bruessow et al. Application No. Group Art Unit Customer No. Confirmation No. Filing Date Examiner May 9, 2002 24573 1651 10/049,368 D. Ware 1115 Title: BIELDOBACTERIA CAPABLE OF PREVENTING DIARRHEA OCT 2 6 2004 Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 37 CFR 1.97(b) 1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. 37 CFR 1.97(c) 2.

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: ☐ the statement specified in 37 CFR 1.97(e); OR ★ The fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 112843-041			
In Re Application: Bruessow et al.								
Application No.	Filing Date	Examiner	r	Group Art Unit	Confirmation No.			
10/049,368	May 9, 2002	D. Ware		24573	1651	1115		
Title: BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA								
W. Carrier		nplete if Applicant elect		ee set forth in 37	CFR 1.17(p))			
 A check in the amount of \$180.00 is attached. The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below. Charge the amount of Credit any overpayment. Charge any additional fee required. 								
☐ Payment by WARNING included o	credit card. Form P Information on thin this form. Provide	TO-2038 is attached s form may become credit card inform	e public. C nation and	authorization	on PTO-2038.			
Certificate of Transmission by Facsimile* Certificate of Mailing by First Class Mail I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. Thereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on								
(Date) 10/20/2004 (Date)								
Signature Signature of Person Mailing Correspondence Renee Street						ondence		
Typed or Printed Name of Person Signing Certificate Typed or Printed Name of Person Mailing Certificate								
*This certificate may only be used if paying by deposit account.								
Dated: October 20, 2004 Signature								
Robert M. Barrett, Reg. No. 30,142								
BELL, BOYD & LLOYD LLC P.O. Box 1135								
P.O. Box 1135 Chicago, IL 60690-1135								
(312) 807-4204								
cc.								



Applicants. Bruessow et al.

Appl. No.:

10/049,368

Conf. No.:

1115

Filed:

May 9, 2002

Title:

BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA

Art Unit:

1651

Examiner:

Ware, Deborah K.

Docket No.:

112843-041

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, copies of which are enclosed, be made during the course of examination of the above-identified application for United States patent.

FOREIGN PATENT DOCUMENTS

Document No. Date Country
EP 0577903 B1 December 17, 1997 EPO

WO 97/00078

June 12, 1996

PCT

OTHER DOCUMENTS

B.J.B. Wood and W.H. Holzapfel, "The Genus Bifidobacterium": "Genera of Lactic Acid Bacteria", Blackie A&P, pp. 279-306 (1995).

10/27/2004 FFANAIA2 00000035 10049368

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180.00 GP

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY

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Dated: October 20, 2004

INFORMATION DISCLOSURE CITATION IN AN APPLICATION [se several sheets if necessary)

Atty Docket No.	Application No.				
112843-041 10/049,368					
Applicant					
Bruessow et al.					
Filing Date	Group				
May 9, 2002	1651				

DCT 2 6 2004

PTO Form 1449

U.S. PATENT DOCUMENTS						
Byaminer's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
					<u>.</u>	

FOREIGN PATENT DOCUMENTS							
Examiner's	Document	Publication				Trans	ation
Initials	Number	Date	Country	Class	Subclass	Yes	No
	EP 0577903 B1	12/17/97	EPO				
	WO 97/00078	06/12/96	PCT				
							.,*

Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	B.J.B. Wood and W.H. Holzapfel, "The Genus Bifidobacterium": "Genera of Lactic Acid Bacteria", Blackie A&P, pp. 279-306 (1995).

Examiner:	Date Considered:	
		14 1 (DDD G 11 600

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.